

PATENT  
Docket No.: CL/V-32421A

DAE#  
efw

**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

SARA CARTER  
Type or print name

Sara Carter  
Signature

12/14/04  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF

EXAMINER:

**QUINN, ET AL.**

APPLICATION NO: **10/676,173**

ART UNIT:

FILED: **October 1, 2003**

FOR: **Polymerizable Materials**

Commissioner for Patents

Alexandria, Virginia 22313-1450

**PETITION UNDER 37 C.F.R. §1.137(b)**  
**TO REVIVE APPLICATION ABANDONED UNINTENTIONALLY**

Dear Sir:

This is a petition to revive the subject application in accordance with 37 C.F.R. §1.137(b). A response to the Notice to File Missing Parts dated 12/23/2003 was due May 19, 2004. The signed Declaration and a response to Notice to File Missing Parts which authorizes payment of Late Declaration Surcharge of \$130 (duplicate copies) are enclosed in accordance with 37 C.F.R. §1.137(b)(1).

Applicants hereby authorize payment of the petition fee of \$1500 and other necessary fees by debit of their Deposit Account No. 50-2965 in accordance with 37 C.F.R. §1.137(b)(2).

Since this application was filed on or after June 8, 1995, no terminal disclaimer is required.

12/20/2004 MAHMED1 00000051 502965 10676173

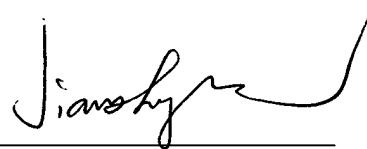
01 FC:1453 1500.00 DA

The entire delay in filing the required reply (i.e., the Response to the Notice of Non-Compliant Amendment) was unintentional. The failure to submit the required reply was discovered on November 16, 2004, when Applicants received the Notice of Abandonment dated May November 16, 2004. The failure to file the required reply before the due date for the reply was an oversight, and this petition is being submitted as soon as possible after that oversight was discovered. The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 C.F.R. §1.137(b) was unintentional.

Applicants respectfully request that this Petition to revive be granted.

The Commissioner is hereby authorized to charge any other fees which may be required under 37 C.F.R. §§1.16 and 1.17, or credit any overpayment, to Deposit Account No. 50-2965. Please address all correspondence to Robert Gorman, CIBA Vision, Patent Department, 11460 Johns Creek Parkway, Duluth, GA 30097.

Respectfully submitted,



Jian S. Zhou  
Reg. No. 41,422  
(678) 415-4691

Date:

CIBA Vision

Patent Department

11460 Johns Creek Parkway

Duluth, GA 30097



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/676,173	10/01/2003	Michael Hugh Quinn	CL/V-32421

CONFIRMATION NO. 6787

ABANDONMENT/TERMINATION  
LETTER

\*OC000000014376388\*

001095  
 NOVARTIS  
 CORPORATE INTELLECTUAL PROPERTY  
 ONE HEALTH PLAZA 430/2  
 EAST HANOVER, NJ 07936-1080

Date Mailed: 11/16/2004

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 12/23/2003.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

  
 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

## Notice of Abandonment

This application is abandoned in view of applicant's failure to timely file a proper reply to the Office notice mailed on 12/23/03.

### Petition to Withdraw the Holding of Abandonment

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within **2 months** from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item(s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP § 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be transmitted by facsimile directly to OIPE Customer Service at (703) 308-7751.

### Petition to Revive an Abandoned Application

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by:

1. an adequate showing of the cause of unavoidable delay;
2. the required reply to the above-identified notice;
3. the petition fee set forth in 37 CFR 1.17(i); and
4. a terminal disclaimer if required by 37 CFR 1.137(d).

See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by:

1. a statement that the entire delay was unintentional;
2. the required reply to the above-identified notice;
3. the petition fee set forth in 37 CFR 1.17(m); and
4. a terminal disclaimer if required by 37 CFR 1.137(d).

See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to Office of Petitions at (703) 305-9282.

Any questions regarding this notice should be directed to OIPE Customer Service at (703) 308-1202.

Customer Service Center  
Initial Patent Examination Division (703) 308-1202



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/676,173	10/01/2003	Michael Hugh Quinn	CL/V-32421

001095  
THOMAS HOXIE  
NOVARTIS, CORPORATE INTELLECTUAL PROPERTY  
ONE HEALTH PLAZA 430/2  
EAST HANOVER, NJ 07936-1080

CONFIRMATION NO. 6787

**FORMALITIES LETTER**



\*OC000000011559543\*

Date Mailed: 12/23/2003

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity


- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

12/20/2004 MAHED1 00000051 502965 10676173

02 FC:1051 130.00 DA

*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



CASE CLV-32421A

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

Sara Carter  
Type or print name

*Sara Carter*  
Signature

December 14, 2004  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

QUINN ET AL.

APPLICATION NO: 10/676,173

FILED: OCTOBER 1, 2003

FOR: POLYMERIZABLE MATERIALS

**MS: Missing Parts**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

The Notice to File Missing Parts of Application mailed December 23, 2003 (a copy of which is enclosed) has a shortened statutory time set to expire on February 23, 2004.

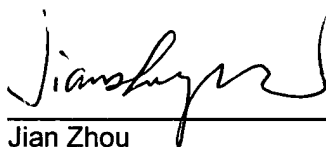
In response, applicants now submit an original or copy of a fully executed Declaration and Power of Attorney. Please charge the \$130 surcharge fee under 37 CFR §1.16(e) to Deposit Account No. 50-2965 in the name of Ciba Vision.

The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.17 which may be required, or credit any overpayment, to Account No. 50-2965 in the name of Ciba Vision.

A duplicate copy of this letter is provided for charging purposes.

Respectfully submitted,

CIBA Vision Corporation  
Patent Department  
11460 Johns Creek Parkway  
Duluth, GA 30097-1556  
(678) 415-4691  
Date: December 14, 2004

A handwritten signature in black ink, appearing to read "Jian Zhou", is written over a horizontal line.

Jian Zhou  
Agent for Applicants  
Reg. No. 41,422